

HUDSON, NH BOARD OF SELECTMEN
June 22, 2010

1. CALL TO ORDER by Chairman Massey the meeting of June 22, 2010 at 7:00 p.m. in the Selectmen's Meeting Room at Town Hall.

2. PLEDGE OF ALLEGIANCE, led by Selectman Nadeau.

3. ATTENDANCE

Board of Selectmen: Roger Coutu, Ken Massey, Rick Maddox, Ben Nadeau, Shawn Jasper - excused absence

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Police Chief Jason Lavoie; Finance Director Kathy Carpentier; Michael O'Keefe

4. PUBLIC INPUT

- a) Certificate of Recognition presented to Carson Reed Mailloux - Recycling Slogan Contest
- b) Certificate of Recognition presented to Jack Gasdia - Recycling Slogan Contest
- c) Certificate of Recognition presented to Jamie Gancedo - Recycling Slogan Contest
- d) Certificate of Recognition presented to Maria Chouinard - Recycling Slogan Contest

Chairman Massey said the response to the Recycling Committee's contest in the Hudson elementary schools was to say the least overwhelming. He thought that there were over 230 entries that were received. They were all centered around the topic of earth day and how we can save by recycling. So there was a contest held in all of the elementary schools. We have a winner from each one of them. They are, again, Carson Reed Mailloux from grade 2 Library Street. His slogan was "Recycle everyday and make the trash go away". We also had from Nottingham West School Jack Gasdia. His slogan was "Hudson, a town to treasure not trash". Maria Chouinard's slogan was "Save the earth, save a life, save yourself". Finally, we have Jamie Gancedo. Her slogan was "Show Hudson has a heart. Let's do our part, recycle". On behalf of the Board, they'd like to present each of them with a Certificate of Recognition for his chosen works. Thank you for participating.

Chairman Massey asked if anyone in the audience wished to address the Board on any issue at this time?

Tom Alciere, 28 Mobile Drive in Hudson. He was strongly urging the Board of Selectmen to reject a grant from the so-called Department of Justice for the enforcement of a blatantly unjust law. Chairman Massey told Mr. Alciere if that was the topic, there was going to be a public hearing and he'd have his opportunity to make his views known during the public hearing. That would be the appropriate place to do it. It's going to be held later in the agenda. Mr. Alciere said he misunderstood.

5. NOMINATIONS & APPOINTMENTS

Chairman Massey said there were none tonight. He would acknowledge to the public that they have several openings - the Water Utility, the Zoning Board still had openings. They strongly encourage residents if they really want to make a difference in the Town to get involved with some of those committees. They give you a good working knowledge of how the Town operates.

6. CONSENT ITEMS

Chairman Massey asked if any Board member wished to remove any item for separate consideration.

Motion by Selectman Coutu to approve consent items A, C, D, and E, as noted or appropriate.

Chairman Massey requested that they remove items 6. c. 1 and c. 2. for separate consideration.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to approve consent items A, B, C. 3., 4, 5, and 6, D, and E, as noted or appropriate, carried 4-0.

The reason why Chairman Massey wanted to pull those two out was in the two requests for Hawker/Peddler Licenses it indicated by the Health Officer that they did not have current health inspection licenses. The

Board has in front of them two health inspection reports. He turned to the Administrator because he didn't see anything that said that they'd been relicensed.

Town Administrator Steve Malizia said that the State takes a couple of weeks to prepare a license. So that is the document the State provides them with that is the interim document. They would expect at some point in the next couple of weeks to actually get the license. The State has told us that was the interim document and that they would provide to the Board for their permit.

That being the case, Chairman Massey said that the Chair would entertain a motion to approve the 2 Hawker/Peddler Licenses.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to approve Consent Items 6. c. 1 and 6. c. 2 as noted and appropriate.

Selectman Nadeau said they have two Hawker/Peddler Licenses for ice cream trucks. These were the first two that he's seen for the season. There's probably 7 or 8 trucks roaming around the Town. At the request of Chairman Massey and the Town Administrator, they asked Chief Lavoie and his officers when they are encountering these trucks they're continuing to find out if they in fact have a license. That's why you're seeing these here tonight. They're out there making sure that they do have the license. Selectman Nadeau said that these particular ones were not the ones that are around this particular area or the ones that he's seen at Robinson Pond. That's why he was asking the question.

Vote: Motion carried 4-0.

Selectman Maddox said that there was something on their tables that was different than what was in the...6. a. 5. The numbers don't match. Selectman Maddox said maybe they want to at least pull that one out and redo it based on the information that was supplied. He thought Selectman Maddox was correct. Mr. Malizia said that there were two 210s. Now there's one 206 and one 210. That's the only difference. It's correct on the agenda. The memorandum didn't catch up to the packet.

A. Assessing Items

- 1) Multiple Exemption Applications - Disabled Exemption - Map 157, Lot 066, Sub 091; Re-Qualifications - Elderly and Disabled Exemptions - Map 168, Lot 072; Map 183, Lot 011; Map 199, Lot 007; Map 216, Lot 018, Sub 051; Map 149, Lot 001, Sub 105; Map 198, Lot 074; Map 147, Lot 022, Sub 031; Map 149, Lot 001, Sub 094; Map 182, Lot 065; Map 175, Lot 015; Map 154, Lot 005; Map 197, Lot 110; Map 254, Lot 004; Map 138, Lot 039; Map 229, Lot 026, w/recommendation to approve.
- 2) Abatement Application - Map 178, Lot 13-53, w/recommendation to deny.
- 3) Abatement Application - Map 168, Lot 126, w/recommendation to approve.
- 4) Abatement Application - Map 134, Lot 2, w/recommendation to approve.
- 5) Abatement Application - Map 177, Lots 5-192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 204, 205, 210, 207, 208, 209, 206, w/recommendation to deny.
- 6) Abatement Application - Map 217, Lot 8, w/recommendation to deny.
- 7) Abatement Application - Map 177, Lot 5-401 & 5-203, w/recommendation to approve.
- 8) Abatement Application - Map 105, Lot 26, w/recommendation to approve.
- 9) Abatement Application - Map 159, Lot 17, w/recommendation to approve.
- 10) Abatement Application - Map 177, Lot 5-49, w/recommendation to deny.
- 11) Abatement Application - Map 124, Lot 31, w/recommendation to approve.
- 12) Abatement Application - Map 191, Lot 14, w/recommendation to approve.
- 13) Abatement Application - Map 162, Lot 47-2, w/recommendation to deny.
- 14) Abatement Application - Map 137, Lot 5, w/recommendation to approve.
- 15) Abatement Application - Map 217, Lot 28-1, w/recommendation to deny.
- 16) Abatement Application - Map 197, Lot 154, w/recommendation to approve.
- 17) Abatement Application - Map 234, Lot 31, w/recommendation to approve.
- 18) Abatement Application - Map 190, Lots 16 & 17, w/recommendation to deny.
- 19) Abatement Application - Map 214, Lot 6, w/recommendation to approve.
- 20) Abatement Application - Map 197, Lot 74, w/recommendation to approve.
- 21) Abatement Application - Map 134, Lot 25, w/recommendation to approve.
- 22) Abatement Application - Map 171, Lot 26, w/recommendation to approve.

B. Water/Sewer Items - None.

C. Licenses & Permits

- 1) Hawker & Peddler Permit by Nancy M. Perez to sell ice cream and slush out of an Uncle Benz ice cream truck around the Town of Hudson, NH
- 2) Hawker & Peddler Permit by Debra A. Hill to sell ice cream, soda and candy out of an Uncle Benz ice cream truck around the Town of Hudson, NH
- 3) Request to Solicit Funds by Faith Baptist Church - Youth Ministry
- 4) Request to Solicit Funds by Lil' Iguana's Children's Safety Foundation
- 5) Request to Solicit Funds by Teen Challenge New England
- 6) Request to Solicit Funds by Cub Scout Pack 21, Hudson, NH

D. Acceptance of Minutes

- 1) Board of Selectmen Meeting Minutes of May 25, 2010
- 2) Board of Selectmen Workshop Minutes of June 1, 2010

E. Calendar

06/23 7:00 Planning Board - Community Development Meeting Room
06/24 3:00 Trustees of the Trust Funds - Community Development Meeting Room
06/24 7:30 Zoning Board of Adjustment - Community Development Meeting Room
06/28 6:00 Recycling Committee - BOS Meeting Room
06/30 7:00 Benson Park Landscape Subcommittee - BOS Meeting Room
07/01 6:30 Recreation Committee - BOS Meeting Room
07/01 7:00 Benson Park Committee - Community Development Meeting Room
07/05 4th of July Holiday - Town Hall Closed
07/06 7:00 Board of Selectmen Workshop - BOS Meeting Room
07/08 5:30 Sewer Utility Committee - BOS Meeting Room
07/08 7:30 Zoning Board of Adjustment - Community Development Meeting Room
07/12 6:30 Hudson School Board - BOS Meeting Room
07/12 7:00 Conservation Commission - Community Development Meeting Room
07/13 7:00 Board of Selectmen - BOS Meeting Room

7. OLD BUSINESS

A. Vote taken after Nonpublic Session on June 1, 2010

- 1) Motion by Selectman Jasper, seconded by Selectman Coutu, to authorize the Chairman of the Board of Selectmen to sign on behalf of the Town a Memo of Agreement between the Town of Hudson and International Association of Firefighters (IAFF) for 24 hour shifts per Chief Murray's Memo dated May 27, 2010 as amended for Robinson Road, carried 5-0.

On that note once again, Chairman Massey said somebody under the cloak of anonymity chooses to hit the send button before the stop to ask questions or to find out the truth. In the Hudson/Litchfield Thumbs Down news for June 18, 2010, he quoted, "...First you accept half the legal fees due the Town from the 'fence' people, now you allow the firefighters union to extend their work hours so they can make more money without a vote from the taxpayers?? Who do the firefighters think they are?? Boston?? Why can't they be more like the Derry fire fighters?? We will remember at election time and contract time..." You know something, our firefighters are exactly like the Derry firefighters because they both are working thee 24 hour shifts. Contrary to what this individual would have you believe, Chairman Massey said the firefighters are working no more hours under the changed schedule from 10/14 to 24 on than they were before. They're still working the same number of hours per year. When you see this type of stuff in the paper, sometimes it pays before you hit the send button to ask a few questions to get the facts straight.

To that point, Selectman Coutu was dismayed as well as he was when he saw that. As a matter of good fiscal management and practice, they listened to the Chief and the Deputy Chiefs when they made this proposal. They came to the Board initially. They did not have sufficient information. They did their research and it came back before them. They voted to approve this on the premise that 1) it may even save them money in terms of extended overtime hours, and 2) it would certainly help with the morale of the Fire Department. It was recognized both by the administrative staff within the Fire Department and the firefighters themselves that it would be fool hearty for them not to accept this in light of the fact that it may be a cost saving effort that they took. They are fiscal managers. They are responsible for the bottom dollar. They thought that this was a prudent action. It was voted on unanimously. Like you Sir, Selectman Coutu wished that they would check the facts before they go ranting and raving in the Hudson/Litchfield News. Thank you Sir.

To the point Mr. Chairman. Selectman Maddox said that this was only a trial also. This was something that was going to be looked at probably from both sides to see if this was something that was going to continue. He looked over at the Chief and he knows he asked him and probably that information that the Board received was on the web site. Chief Murray said it was being prepared to put on the web. Selectman Maddox said the information that was given to them - the various facts and numbers, will be on the web site shortly that will show people what they had to look at. Again, the facts will be out there.

- 2) Motion by Selectman Maddox, seconded by Selectman Coutu, to hire Alfred Marcelle as Appraisal Technician (part time) within the Assessing Department at \$18.24 per hour, effective June 14, 2010, in accordance with Step 1 of that position classification within the AFSCME Local #1801 Contract. Mr. Marcelle's 6-month probationary period is contingent upon him obtaining the status of Certified Property Assessor Assistant with the State of NH - DRA within his six-month probationary period, carried 5-0.
- 3) Motion by Selectman Nadeau, seconded by Selectman Coutu, to hire Morgan Miller as an engineering summer intern for the period starting June 2, 2010 and ending August 20, 2010 at the rate of \$12.00 per hour, carried 5-0.
- 4) Motion by Selectman Jasper, seconded by Selectman Coutu, to hire Tim Linehan as a summer intern for the Conservation Commission for the period starting June 7, 2010 through August 20, 2010 at the rate of \$12.00 per hour, carried 5-0.
- 5) Motion to adjourn at 10:53 p.m. by Selectman Jasper, seconded by Selectman Maddox, carried 5-0.

B. Votes taken after Nonpublic Session on June 8, 2010

- 1) Motion by Selectman Coutu, seconded by Selectman Jasper, to change Blake Miller's hours from 24 hours to 32 hours per week according to the Zoning Administrator's letter dated June 2, 2010, carried 5-0.
- 2) Motion to adjourn at 10:26 p.m. by Selectman Maddox, seconded by Selectman Coutu, carried 5-0.

8. NEW BUSINESS

A. Green Meadow Golf Club

As Chairman Massey indicated at the beginning of the meeting, the first item was the Green Meadow Golf Club. He had an e-mail that was sent to the Chairman and to the Town Administrator from Mr. Jay Leonard. It says, "Mr. Massey, I had tentatively committed to visiting with the Board of Selectmen this week to bring you all up to date on the Greenmeadow project. However, as you know, the state legislation for gambling was defeated. At this time there is no new legislation proposed, and we have no specific proposal in the works. I think that there is no reason to get together quite yet. We would be getting ahead of ourselves with speculation. I spoke to Steve Malizia earlier today and confirmed with him that we won't attend Tuesday's meeting, but we will keep you and the Board informed as things develop further. We expect there will be new legislation, and we expect that we expect that we will be part of the discussion. I will get back to Steve and you in the fall. Thank you. Best regards, Jay Leonard." He's the Attorney for Greenmeadow Golf Club.

B. Public Hearing - Acceptance of a State of NH Department of Justice Grant entitled "Enforcing Underage Drinking Laws" in the amount of \$5,000

Chairman Massey recognized Police Chief Jason Lavoie. Good evening Chief. If you could explain what this grant is for.

Chief Lavoie thanked the Board for having him there. This grant is one that they had asked permission to apply for some time ago. They have recently been awarded the grant. This grant will allow them to have officers specifically assigned to a specific detail, that of which is enforcing underage drinking laws, making sure that businesses aren't selling to minors, and things along that nature. Going into grocery stores as well as restaurants to make sure that people are being carded, etc. in order to help the community's children safer.

Open the public hearing at 7:20 p.m.

Chairman Massey asked if there was anyone in the audience who wished to speak on this item.

Tom Alciere, 28 Mobile Drive, Hudson. He has already submitted a written statement. He was there to urge the Selectmen to reject this grant from the so-called Department of Justice for the enforcement of a blatantly unjust law. Now of course it's not as if there were ever any question whether the government has a right to regulate alcoholic beverages. Obviously that's already settled. Governments cannot acquire authority by manufacturing documents. They only have authority that has been given to them by the people. The people cannot give a government any authority they don't have. He's never had authority to regulate what Mr. and Mrs. Twenty drink therefore he never gave any such authority to the government. The same is true of everybody else in the State of New Hampshire except a Mr. and Mrs. Twenty. They and they alone have a right to decide what they are going to drink.

The only legitimate function of a government is to secure the rights of the people. Mr. and Mrs. Twenty are not violating anybody's rights by drinking the beverage of their choice; neither are their suppliers violating anyone's rights by selling it to them. In a free country, the citizen would freely decide what to drink and parents would govern their child until he or she left the nest. Therefore, there's never been any question about it. The government never had any right to employ gun toting mercenaries and bullet proof vests as weapons of unprovoked violence to try to intimidate Mr. and Mrs. Twenty into giving up their inherent natural right to drink the beverage of their choice or to intimidate their suppliers.

If you're having a cookout and Mr. Alciere marches onto his property intending to seize a teenager, handcuff her, and force her into his car obviously she has a right to fight back. You would be justified stepping in to help her and if he starting winning, you would be justified in shooting him. The only reason cops get away with pulling stunts like that at high school graduation keggers is because the out voted discrimination victims are not yet ready, willing, and able to defend themselves against the police force. Don't push your luck.

On 29 February, 2008, some underage drinkers in Cleveland, Ohio, were running from the police when one suspect decided to fight back and the undertaker straightened out one of those cops. If that should happen here in Hudson after you vote for it this evening, don't blame anybody but yourself. After all, if you vote to use a cop as a weapon of unprovoked violence against a cashier and the cashier simply takes your weapon away from you, then the blood of that cop is on your hands. Don't just consider what the out voted discrimination victims and their supplier can do, consider also what they cannot do in retaliation such as joining the National Guard when the recruiter urges Mr. and Mrs. Twenty to defend freedom and they reply, "What freedom?" Why should they sign up to protect your life and your property if you won't even vote to protect their right to liberty?

After Hurricane Katrina in New Orleans, a lot of people suffered and perished waiting for the National Guard to rescue them. If a disaster should happen here in Hudson and you find yourself suffering for want of National Guardsmen after you vote for it this evening, don't blame anybody but yourself. Mr. and Mrs. Twenty might wind up dishing out some very nasty payback without even doing a thing. Everybody knows that this blatantly unjust law is totally unacceptable to some of its victims. What the Board of Selectmen needs to do is to tell the Legislature you are rejecting this grant at least until they exempt those victims. Victims who file with the Secretary of State a notarized Affidavit unequivocally affirming that this blatantly unjust law is totally unacceptable to the affiant and demanding to be exempted from it, would thereby become exempt. After all if the State legislature wants respect for their laws, the first thing they have to do is to make their laws respectable.

Chairman Massey asked if there was anybody else in the audience who wished to address the Board on this grant. Seeing none, Chairman Massey closed the public hearing at 7:25 p.m.

Motion by Selectman Maddox, seconded by Selectman Coutu, to authorize the Hudson Police Department to enter into the "Enforcing Underage Drinking Laws" project with the State of New Hampshire Department of Justice in the amount of \$5,000 beginning May 12, 2010 through May 31, 2011.

With all due respect to Mr. Alciere and his prepared statement that he gave the Board a copy of and his remarks that he made before the Board, Selectman Coutu thought Mr. Alciere has a total misunderstanding of what this grant was for. It's not to send police officers on people's properties. It's not to do anything except compliance checking. Compliance checking to the general public who are not aware of what that entails, he's a businessman here in town and he sells beer and wine in his store. What it does is it sends young men in who are not of age to purchase alcohol with an ID that is a legitimate ID, and they are required by law as part of their licensing agreement with the State of New Hampshire, and he certainly has no

objection to it, that they ascertain that the individual who is attempting to purchase the alcohol was of age. The State will come in with the Liquor Enforcement Officer and a Hudson Police Officer with this underage person and if someone does not ask for an ID and does not verify that this person is not of age and they indeed sell him alcohol, the store owner regardless of who sells the alcohol is subject to a \$500 fine. That's cast in stone. The clerk who sold the alcohol to the person for 1) either not asking for an ID, or 2) asking for an ID and not paying close attention and turn around and sell that alcohol to that person, they are arrested and charged with a misdemeanor for selling to a minor. It has nothing to do Sir with police officers going on properties. If they did not enforce this in Hudson, in the State of New Hampshire as they do in cities and towns across this nation, it is not happening just in New Hampshire, it's happening across the nation. If they don't enforce some sort of compliance on people selling alcohol to minors, it is going to run rampant. You're going to have every kid who works behind a register selling alcohol to their friends with no recourse whatsoever for the store owners or for the police department. This just protects them insurance wise as well as trying to prevent young people from getting alcohol.

When Selectman Coutu read Mr. Alciere's prepared statement, which he did in its entirety, it would appear to him that they would let everybody just drink and run all over the place. If we don't nip it in the bud, and it begins at a young age, then shame on us. We need to take advantage of monies that are made available to us to enforce these laws. He wholeheartedly supported and endorsed the concept that's being presented. It's been an ongoing effort on this Town to try to curb people from selling alcohol to minors. Mr. Alciere you just don't understand the concept or you refuse to understand it. Thank you Mr. Chairman.

Selectman Maddox said he guessed he was old. When he was 18 he could drink. The will of the people changed over time and its now 21. That's something that is handled at the legislative level. We as the town need to make sure that the businesses that are authorized to sell alcohol are doing it as prescribed by law. This is nothing more than doing our due diligence to make sure that Hudson is doing its part to make sure that the laws are enforced. No more, no less. Thank you.

Vote: Motion carried 4-0.

- C. Public Hearing - Code of the Town of Hudson Chapter 259 titled "Parks and Recreation Areas" - Benson Park - Hours of Operation, Violations and Penalties

Chairman Massey recognized Police Chief Jason Lavoie.

Chief Lavoie said some time back the Board asked that they help write a Town Ordinance regarding Benson Park and the hours that it was going to be opened up to include a fine schedule that would mirror that. The suggestion was to have a first offense, second offense and a third offense. They looked at current Town Ordinances that were similar to this that have the times, closures, and some sort of a fine scale. They kind of just mirrored the recommendation that they recommended to the Board would \$10 for the first offense, \$30 for the second offense, \$50 for the third offense, and at the discretion of the District Court for subsequent offenses after that. He though it made sense to keep it in line with the Parks and Recreation area as there already are other ordinances similar in nature contained within that section. Currently the park has been open since Memorial Day weekend. They've been called down. Supervisors are going in, driving around, and making an announcement that the park is closed. On several occasions they've had to go back a half hour, 40 minutes later, whatever the time was, to let people out because their cars are locked in and they can't get out. They're in there with their families still. They've claimed that they don't hear them or whatever the case may be. They are announcing them over the loud speakers, but they've had to go back there several times in the short period of time that the park has been open. This does take some additional hours away by taking Supervisors off the street for a little while so they can go back there and let these people out. It's been a little bit of a problem already. He didn't know if that would curtail as times goes on. This was the recommendation to the Board. Whatever the Board wishes, at least you have a place to start.

Chairman Massey opened the public hearing at 7:32 p.m.

Chairman Massey asked if anyone in the audience wished to speak on this change to the Town Ordinance. Seeing none, Chairman Massey closed the public hearing at 7:33 p.m.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to amend Chapter 259, Parks and Recreation Areas of the Town Code of Hudson with the addition of Article IX titled, "Benson Park", Section 259-30 (Hours of Operation) from April 1 to October 31 between 5:00 a.m. and 8:00 p.m., and from November 1 to March 31 between 5 a.m. and 5 p.m., and Section 259-31 (Violations and Penalties) listed as \$10.00 for the first offense, \$30.00 for the second offense, \$50.00 for the third offense and fined at the discretion of the District Court for subsequent offenses, carried 4-0.

- D. Request to use the Community Center and waive the fee for Comedy Night and Silent Auction on September 25, 2010 for the Zach Tompkins Memorial Fund

Selectman Coutu said there was no one there to speak on it. It wasn't necessary. They had approached him and he said there was no need for anyone to come. He would explain it if necessary. The Zachary Tompkins organization is running events each and every month. This month there's a golf tournament. Next month is the road race, and in the month of September they're going to do the comedy night. It had been approached to the Recreation Director. His understanding was that he has penciled it in. The night is available pending the Board's approval. Again, all of the monies that are being raised through these fundraisers are going to go towards building the Zach Tompkins Memorial Stadium. In fact, a park that will be useful to all of the citizens of the Town of Hudson. He thought it was appropriate. They've allowed other organizations in the past to do the same. Where this is a town-wide effort, he strongly urged the Chairman and his colleagues to support the motion that was going to be presented to allow them the use of the Community Center for a comedy night. Thank you.

Motion by Selectman Coutu, seconded by Selectman Maddox, to approve the Zachary Tompkins Memorial Fund's request to use the Hudson Community Center for Comedy Night and Silent Auction on September 25, 2010, and to waive the rental fee.

Chairman Massey had one question. In the letter requesting it said that the Zach team would follow similar procedures and guidelines that the Town uses in their comedy nights hosted by the Recreation Department for this event. Can you elaborate or expand? Other than the comedy nights, Selectman Coutu believed that there would be a detailed police officer on duty, which they will pay for. They'll make sure that it's orderly. They allow people to bring food and alcohol if they wished to consume. It will be held in the same fashion as the Town's comedy nights are held for recreation fundraisers.

Chairman Massey asked how about the janitorial services. Selectman Coutu believed that they have sufficient volunteers to do the cleaning. If it was not done appropriately, they would make sure that it was funded to be done. He expected that the team of volunteers that they have, that hall will be clean. Chairman Massey asked if they were going to set it up also. Selectman Coutu believed so. They're going to set it up.

Vote: Motion carried 4-0.

- E. HCTV Studio Camera Purchase

Chairman Massey recognized Chairman Michael O'Keefe.

Michael O'Keefe, 57 Glenn Drive. He's the current Chairman of the Cable Utility Committee in town. This agenda item that he's asking is regarding the purchase of a third studio camera for the HCTV Access Center. As you may know back in December, they did a bid and awarded the bid to an organization to outfit the Access Center with control room equipment and studio cameras. At that time, they had hoped to do 3 studio cameras but where the numbers came in they were concerned and wanted to wait until the end of the fiscal year to make sure they had sufficient money to cover. It was just too close a number. Now with less than a week or so left in their fiscal year, they've gone through the numbers. They do have enough money left to cover the cost of the camera. Basically it's a third camera to match the 2 others that they currently have there. She thought everyone on the Board had been to the Access Center so they probably have an idea of what they're talking about. Right now they're filling in with a much older field camera. That's their request for this purchase.

Selectman Coutu had no questions but an observation. If you recollect initially when the budget was proposed, it was proposed that in order to suit and fit the cable center, they would need to have this additional camera. They were very much concerned about the bottom line at the end of the fiscal year. They opted as a committee to waive purchasing the camera until such time as they were able to look at the bottom line and see if there would be sufficient funds available. Not only are there sufficient funds available, they anticipate a positive balance which they'd be turning back into the general fund he believed this year. There is sufficient money to purchase it. He certainly supported it. He's been involved in all of the discussions as the Board's liaison to cable. They have an awful lot of production going on, which should please Selectman Maddox who's always questioning but there's an awful lot of in town production going on. They have a lot of people who are learning to use the cameras and want to go out and start their own shows. He didn't know if they've been able to catch them Selectman Maddox, but there's been quite a few locally.

Motion by Selectman Coutu, seconded by Selectman Maddox, to authorize the purchase of one (1) JVC Model GYHD250 STL16 studio camera package from Access A/V of Concord, NH, at a cost of \$16,998.

That the funds for this purchase be encumbered from the Cable Utility Committee's FY2010 budget, carried 4-0.

F. Cable Utility Committee Capital Reserve Transfer

Chairman Massey recognized Michael O'Keefe.

As you know, Michael O'Keefe said they found out from their Town Attorney that they do have the option at the end of the fiscal year to transfer money into existing capital reserve accounts. Many of the prior years they always did that at the beginning of the year. They put a fixed amount in. Given that they've had that decision, they're requesting that any balance remaining in their fiscal year 2010 budget be transferred to the existing cable capital reserve account. Now that the Board has approved the purchase of the camera, it's likely to only be \$1,000 or less. Their feeling is that money should stay related to cable. That's why they're asking to up it in the capital reserve. On the paperwork he provided to the Board, he also did point out that they accounted for the money that they received from Comcast in this fiscal year as well, which of course is what they base their annual budget on. They had budgeted \$186,000. In fact, they took in \$201,000 from Comcast. While they're only looking for the balance of the \$186,000 to go into the capital reserve that means almost \$15,000 will go back to the Town's General Fund. They're not looking to move that into Capital Reserve. That's his request.

Motion by Selectman Coutu, seconded by Selectman Maddox, to transfer any remaining end of year funds from the Cable Utility's budget to the Cable Utility Committee's Capital Reserve Fund.

Chairman Massey wanted to comment on something that Mike said. This is truly one of those areas where all of the money that funds the cable operation for the Town come not from tax dollars but from the franchise fee that if you own a cable license, you're paying he believe 3 percent of your bill is going to the franchise fee. That's how they're funding all of the programs you see on 20, 21, and 22. So he thought it was appropriate where possible to leave the money inside the cable business.

Vote: Motion carried 4-0.

G. HCTV Facilitator Contract Renewal

Chairman Massey recognized Michael O'Keefe.

Again, Mr. O'Keefe would also like to recognize Lee Lavoie who's the School Board member on their committee and also a very active user of the Access Center. Currently as you know they have a contract for an HCTV facilitator whose job basically is to run and manage the HCTV operations. The person in there is Jim McIntosh. He's had that contract for a little over a year now. It basically runs through the end of the fiscal year. At their Cable Committee meeting, they discussed the renewal of that contract. It was unanimously supported that they renew with Jim for another year. They did also discuss the fact that the current contract limits him to 65 hours per month, which given the level of activity that they're now up to, it's just not sufficient to run that operation. They discussed what they thought was an appropriate adjustment for this coming contract. They're recommending that they raise the monthly number of hours to 100. It may sound like a lot of hours, but keep in mind that that's still a part time position. Just a little over half time.

Mr. O'Keefe said he did a little survey of surrounding communities and the staff that they have at their access centers. We're basically at the bottom of the list. There are some communities like Londonderry that have 3 full time people working on cable. Most communities have at least 1 full time person. Currently with the 65 hour limit Jim's working at one-third of a person. Even if they moved to 100 hours, they're still only on a part time position. In the information that he provided to the Board, he pointed out some of the milestones that they've accomplished over this past year, including outfitting and opening the Access Center. They conducted an open house, which was a huge success and generated a lot of publicity for them as well as a number of new users. They're now taking advantage of HCTV. They've certainly increased even outside the open house, they've just had more and more people utilizing both the in studio equipment and the field equipment to go out and produce your own programming. The level of programming has increased significantly. In fact just this evening he picked up 3 new programs locally produced that will be going on cable. He'd also like to point out the reason that Jim McIntosh the current facilitator is not here to discuss this was he was actually doing a production at the studio tonight and couldn't come down because of that. There's a new show that's taping.

They have at least half a dozen community members who are doing shows at the studio on a regular basis at least he'd say monthly. He pointed out in his material that he went through and looked at the list of

participants over the past year and they have almost 20 community members that have produced more than one program. That's not just coming in and do one and they never see them again. These are people who are coming back and doing program after program, including Lee Lavoie and Jeremy Griffus who have just been on a tear producing programming. Clearly the level of activity has increased significantly. The level of programming on our channels has greatly increased. Unless they increase this contract to at least the 100 hours, they're not going to be able to support that.

He believed the Town Administrator also provided them a break down of the Facilitator's hours from this past fiscal year. Jim reported both the hours he was paid for as well as the hours that he worked above and beyond that. You'll see on average Jim's putting in almost 30 hours a month that he's not charging the Town for. He just didn't think that was fair to Jim or the organization. He thought the 100 hours was a reasonable amount now. He could easily see it as becoming a full time position down the road. Obviously they would come back and discuss that at a future point. If there's concern that the level is going to drop off, the 100 hours is just a maximum. It's not a requirement that he work 100 hours. If some reason the level drops, he just doesn't work that many hours. The 100 hours is a limit. That's basically his presentation.

Over the years Selectman Nadeau has always looked at this as where is cable going to go with them in Hudson. At first two years ago he was opposed to even 65 hours. Now he's seen where cable is going, and he didn't think 100 hours was an unreasonable request for this. He's seen a lot of the programming. He's talked to a lot of people who do the programming that they've made and a lot of them have said Jim's come in at 7:30 to give me the camera because he couldn't get out of work until 6 p.m. and by the time he got home it was 7:30 p.m. and Jim went to the studio and got him the camera. Then he returned the camera on Saturday afternoon at 7:00 and Jim was there to meet him. Then he had to edit his program and Jim was there to meet me and work him through these problems. This is what he had for a program. He thought it was well worth the money. A lot of these things that people put on are done with the help of Jim and other cable members that don't charge us for their time. He thought by upping it to 100 hours, maximum of 100 hours, was well worth it.

Motion by Selectman Nadeau, seconded by Selectman Coutu, to renew the HCTV Facilitator's contract for one (1) year to expire on June 30, 2011 and to increase the number of available monthly hours from 65 to 100.

Selectman Coutu certainly as their liaison to the Cable Committee, he can attest to the fact that Jim was there for a lot more hours than he was being paid for. When you look at 100 hours considering the equation that there's an average of 4.3 weeks per month, it amounts to an average of 23 hours per week. Considering what the previous facilitator was charging them, they're getting a bargain with Mr. MacIntosh. It's not going to put them in line with other communities who also have a facility and production crew, but at least it will get them in the right direction. They had a discussion with Mr. MacIntosh in terms of the amount of money they're paying him. He's not seeking an increase in pay, which he thought was very reasonable considering our economic times. He could have easily made a request and they might have consented to it depending on what the Board was willing to do. He urged the Chairman and his fellow members; he knows that Mr. Nadeau was on their side to support the motion. Thank you Mr. Chairman.

Selectman Maddox had a couple of questions. How many hours of programming from a year ago? That was kind of his measure of how this thing was growing. So was there 10 hours of original programming a month a year ago and now there's 20, 30? He thought at some point there needed to be some numbers to back up there's a lot more programming. He does see stuff on Channel 20, but some of it doesn't look like it came from Hudson. Again, he's just looking to justify the expenditure.

Mr. O'Keefe said he can't certainly off the top of his head tell him the number of hours a year ago versus the number of hours today. They could research that number and get it to him. Antidotal, it's certainly a lot more. As he indicated, he just got 3 programs tonight. That's in one day. The Access Center probably gets at least a production a week - an in-house production as opposed to field production. As he indicated, there were at least 20 people producing programming. He can't speculate. There were probably a minimal number of hours coming out a year ago. Now it's definitely up much higher. He didn't want to commit to a number without looking at it.

Selectman Maddox had a follow up. Any idea what Londonderry was putting out with 3 full timers? He was trying to see where this was going to go at the rate they're jumping. He guessed those were questions for the budget when it comes up for budget time. Again, there's just concerns. Mr. MacIntosh does a great job. All that knows him - very helpful and bends over backwards. He did think that they needed to find a better use for him than just opening up the facility to let people pick stuff up. He thought there needed to be a better

method of being able to pick up equipment for his expertise. He will vote for this because he thought it was a reasonable request. He thought at the budget season they needed to have some numbers.

Selectman Coutu was glad to see Selectman Maddox was on board. A step in the right direction for cable. If they're beginning to impress Selectman Maddox. He knows that Selectman Maddox pays close attention to everything. Mr. Chairman relative to his first request about the hours, to the best of Selectman Coutu's recollection a year ago, they had a different facilitator - well Mr. MacIntosh there was a transitional period. Under the previous facilitator, and you can correct him if he's wrong Mike, there was one show being produced. It was mostly at the Nashua bowled room (sp?) or wherever else locally business and it was the girl that was going around - there were some interesting shows. She did an excellent one on the library under Jim MacIntosh's administration for a lack of a better term under his facilitation. He thought there was only one show being produced. Right now they have a number of shows being produced, and he dared say that if you're going to throw into the mix what Lee and Jeremy put together, which was a mish mosh of an awful lot of shows - and he said that in a very positive way - the interview on the Thomson, the Benson's, the school programs that you go out and videotape which all done voluntarily. You did the Whacky Olympics. It's ongoing. The only other productions that they did in house and was ongoing was they did the high school graduation. Again, that was handled by mostly their volunteer staff. They would go up to Manchester and do the whole graduation, spend an afternoon there, and they weren't getting paid to do that. Then you did the concerts at the school, and you did every single football game that was at home. That was all done with volunteer staff. Londonderry has a much larger facility. Londonderry also produces Arnie Arneson. They were doing that. They also have besides the staff they have an Able person from the Able Program, which was something that they're going to look into in the future.

[Selectman Coutu] Just so that it's understood, Jim has accommodated people by going down and getting equipment but so has Mike and so have other members of the Committee gone down and provided material for people. Jim is conducting camera classes. He's starting to teach how to edit the film and how to put the subtitles in. He's teaching people all of the technical aspects of producing and developing a program start to finish so that you can almost take it home and edit it yourself with the programming that he's teaching you to access. His vast knowledge and experience is a tremendous asset to our community to help people to produce their own shows. The more people who are doing it are generating an interest from other people and saying how easy it is and that they can go out and do that. Maybe he and Selectman Maddox will do a show some day.

Selectman Maddox asked where they were with getting the fiber drop loop to the Access Center facility. Mr. O'Keefe said that was in and working. They can broadcast live from the Access Center now. They are still waiting on the drop at Alvirne. That's in progress. Chairman Massey said in progress meaning they're going to get to it or in progress because there's a date specific to do the installation. Mr. O'Keefe didn't believe he heard a date yet. Jim has been dealing with Comcast directly, so he'll have to check with him to see whose hands that's in at the moment.

Chairman Massey would say that it certainly in his experience they are quantum light years ahead of where they were two years ago on cable. He was not in favor of the cable facility over on Old Derry Road but as he said the last time he was here, he thought that they've seen a significant change from last year to this year. He thought it was a direct result of what they were able to do in that facility. He thought from what all the other members have said not on Jim but all the members of the Cable Committee should be commended for what they've done to energize that program - Chairman Massey actually likes to watch the grill dog once in a while.

Vote: Motion carried 4-0.

H. Fiscal Year 2010 Encumbrances

Chairman Massey recognized Finance Director Kathy Carpentier. Good evening.

Kathy Carpentier comes before the Board this evening as she does every year at the final meeting to ask for the Board's approval on the encumbrances. She requests from the department heads and the committees any liabilities that they will have that they've contractually started in fiscal year and will not be paid prior to the end of the year with the funds that they have remaining in their budgets. The list included warrant articles and also donations. It is for all funds and the total amount is \$749,635.36.

Selectman Maddox said that Ms. Carpentier had the Solid Waste Collection estimate of June bill. Mr. Malizia said they get billed after the trash is picked up after the tonnage is determined. That bill won't come in until July, so you need to encumber it because it's this year's expense. Selectman Maddox said that they

were estimating \$125,000. So this number even though you're down to the penny could change depending upon what that number is. Mr. Malizia said it should not be greater than that. It should be less. As long as you uncover at least that much, in other words the amount you think you'll have but if it's less, that's okay. You really don't want to get caught the other way. Ms. Carpentier said she could always bring the encumbrance down if things get paid. She takes them off the list. She cannot increase that number once the Board approves it.

Motion by Selectman Coutu, seconded by Selectman Maddox, to encumber the not to exceed amount of \$749,635.36 for Fiscal Year 2010.

At the last Board meeting, Mr. Malizia said they talked about possibly getting some carpeting quotes for upstairs. He received some quotes and came in rather late. They didn't make this list. With everybody's permission, he passed out the quotes just to give the Board an idea of what the range was. If they want to encumber, they may want to take a look at the numbers. The reason why he says this was because this was probably something that's not going to happen in a week. They do a PO. Mr. Malizia pointed out that they tried to get 3 but only 2 came in to give him numbers. They're both local businesses. There's two areas and this is all upstairs. One is the Selectmen's office area when you walk in the door at the end of the hall, its all of that area. The other area is all the main floor upstairs. If you go upstairs to the counter in Assessing, Town Clerk, the hallways, and Community Development. It's the public areas. If you look at those carpets, they're in pretty tough shape. He received a couple of quotes. If they Board is interested in doing this, those were the amounts they're looking at. Again, it came up and is soup to nuts. This is taking out the old carpet, laying down the new carpet, whatever furniture needs to be moved, if anything needs to be taken out of the way, and will probably be done over the weekend. You don't want to do it when they're sitting in here. Those were the numbers. Option 1 and Option 2 were just a different density of carpet. A little bit heavier on Option 2 and maybe last a little bit longer. Again, those were some rough numbers. If the Board's interested, he wanted to give them an idea of what it would cost.

Selectman Maddox would move to increase the encumbrance by \$11,000. The reason why he was saying that was just taking the top number, the \$10,675, and at the same time if you're going to be putting in those carpet squares you should buy a case of them for replacement. Buy them now in the same lot rather than trying to match them up later. He thought that it needed to be done. That carpeting is getting pretty shabby.

Wow. Selectman Coutu had proposed this several weeks ago anticipating that this was not going to fly. He's impressed. Mr. Chairman as you are well aware, it is the Executive and Administrative office to this building. It is in shambles. He's never seen carpeting let go so bad that they have to hold it down to the floor with tape. It's disgraceful. It's inappropriate. They try to maintain a certain posture and attire representing their Town and having people come in to visit our Town and walk into that office and see the mess we have for a floor. He applauded our Town Administrator for making every effort to be extremely conservative. At this point, he suggested to him that it was time that they changed the carpeting. Selectman Coutu wholeheartedly supported the motion provided that it was amended to increase the encumbrance by \$11,000.

Motion by Selectman Maddox, seconded by Selectman Coutu, to encumber the not to exceed amount of \$760,635.36 for Fiscal Year 2010.

Chairman Massey asked what account would the Town Administrator suggest that that money came out of. Mr. Malizia said they'd have to make transfers because they didn't have that kind of money laying around. They'll fund it through building maintenance and it will come from the unexpended accounts that they have. If you look 2 memos ahead there's a little bit of a discussion you'll see they have extra money, i.e., money that's not expended. They'll funnel it through the building maintenance account, but it will come from various unexpended totals from other departments.

Chairman Massey said he was going to support this because typically he didn't think it was a wise idea at the end of the year to spend money out of the surplus just because you have it and because you can do it. This is not one of those cases where they looked at it and said it would be nice to do. As Selectman Coutu has indicated, anybody that looks at this carpet would say it was in really very, very bad shape. He was in the Administrator's office a couple of days ago and he was looking down looking at the tape. He thought they had some electrical wires that they were trying to protect. That's when he found out no. He thought that was one of those areas where because there was some money left over, and this was not a want, this is a need, that it did make sense to encumber it for this year rather than trying to put it in the budget for next year.

Vote: Motion carried 4-0.

Chairman Massey said that they didn't have to go bid on this, so do you have a recommendation as to which of the companies should be..Mr. Malizia said he'd like to speak to Wayne who does the maintenance in the building. Wayne worked with the vendors. He just wanted to double check his opinion, look at some of the actual carpet samples that they have, and they'll prepare the PO based on his recommendation. He's the man who maintains it. Chairman Massey said on the companies had been carpeting his house extensively over the last 3 or 4 years. He probably would not take part in the discussions.

Ms. Carpentier requested that the purchase order be done before June 30th.

I. Recommendation to Adopt Reimbursement Policy

Chairman Massey recognized Finance Director Kathy Carpentier.

Ms. Carpentier said the Accounting Clerk Jennifer Riel and herself decided to try to put something in writing into the Personnel Policy pertaining to original receipts. It was not mandated by the IRS, but its good practice that if you're considering a purchase to be a business receipt and the Town is reimbursing as a business receipt that they maintain the original receipts. So what they've done was add a new section to the policy Section #9 documentation requiring original receipts. They just added a paragraph in the section that's already there under travel expenses to, again, mention the original receipts. She considered this a housekeeping item. She felt it was important.

Chairman Massey had a question which was under the proposed new language. He's familiar with how this works because all the time he ever worked for a company he had to much of the same thing. Even this ultimately was not fool proof. At some point in time, there will be an occasion where somebody might not be able to produce the original for whatever reason, etc., etc. He assumed there would be leeway given when it's pretty clear you know the expense was made for the particular issue. There's a legitimate reason why there's no - the dog ate it. Ms. Carpentier said another good one is if you have a rebate. Usually you have to send the original receipt in to get a rebate. In that case, they would never have the original.

Motion by Selectman Coutu, seconded by Selectman Nadeau, to adopt the Reimbursement Policy requiring original receipts to be submitted for all reimbursements, which is considered good business practice by the IRS, carried 4-0.

J. Employees' Earned Time Fund

Chairman Massey recognized Finance Director Kathy Carpentier.

As you are aware in December and June in the contracts, Ms. Carpentier said the employees have an option to buy out their earned time in 40 hour increments. Also upon termination or leaving the Town, people take their earned time accruals in a monetary sense. They've had quite a few of them this year. More in the first half of the year. The total with taxes and pension to the tune of \$227,000. Just recently, the June payout was only \$69,000. The numbers are being captured within the departments. It potentially is going to throw a few of the major departments over because of these buyouts. She was asked to come back and decide if they were going to take any money from the trust funds to replenish the departments or if they were going to do transfers within. She believed that Mr. Malizia might have some more to add.

Chairman Massey recognized the Town Administrator. Mr. Malizia said as the Finance Director stated, the employees that are covered by union contracts get an earned time benefit. They have the ability twice a year to get cash which would serve to also reduce the Town's liability. The first payment is in December having already been in the budget. The numbers you've been looking at all along through the year have those numbers in it. The second batch of requests totaling approximately \$68,794 was what the Finance Director was talking about. They have the ability to absorb that in the overall budget of the Town without going to the trust fund. The second page of this shows you where they are expense wise. As you recall, they've been closely looking at their expenditures and their revenue. If he could point out as they look at the total estimated appropriation surplus about half way down the page, if you scan to the right, you can see the monies they've transferred i.e., for paving, for the revaluation. capital reserve fund, which gave them a balance of \$230k positive. This \$68,000 would then leave us \$161,000 under expended or positive on the expenditure side. When you go down to the revenue side, it's at this point a positive \$17k in revenue. Better than expected, which gives them an approximate \$247,000 surplus that would be added to the surplus they've been retaining. What they're trying to say is basically they can absorb it in the budgets. Some of the budgets may go over but overall bottom line, the Town will be okay.

Mr. Malizia said the alternative would be to go to the trust fund to take money out. If you go to the last page of this document, you'll get an idea of what's actually in the trust fund. As you are aware, they're trying to build it up so that at some point it can be self sustaining. Recently, they haven't been getting there because they've been taking out more than they're putting in. Any time that they don't have to take out of this fund allows them to build that fund

in the anticipation down the road that the fund would have enough money in it to take out so that it wouldn't even have to hit the departments. Basically Mr. Malizia what they're proposing was they see the money that's already been put into the budget; just take it out of the budget. Don't go to this fund. The reason being keep the fund up or try to build the fund up. You have the ability to absorb it. You're basically just moving money around from one pocket to the other. Again, they're there to talk to the Board just to see what the Board's direction was. They didn't want to just make a unilateral decision. It is a Board decision.

Selectman Coutu asked Mr. Malizia what the total projected buy out cost would be if everybody were to sell right now. Mr. Malizia believed the compensated liability was \$1.35 million. If they ceased operation tomorrow and you had to pay all the liability, it would be \$1.3 million. Ms. Carpentier said that would be as of June 30, 2009. Selectman Coutu said they're saying in the capital reserve they only have \$157,500 now and we anticipate adding to that at the end of this fiscal year. Mr. Malizia said they budget every year to add to it. They've been trying to build it up. He wasn't sure what the number was this year. Ms. Carpentier said in fiscal 2011, they will be adding another \$75,000. Right now, they have \$233,000 in the fund. Mr. Malizia said it was a 21 percent funding. At some point when this fund was proposed back in the '80s or '90s, the anticipation or the expectation you'd get to 50 percent. In other words, you'd like to have 50 percent of your liability covered. To his knowledge, it's never been the case. It's been pretty low if you look 17, 15, 10, 6 percent. Those are really not good reserves when you're looking at the liability. Again, they're just trying to propose to the Board that if you don't take the money out of the fund, you'll at least have another year to let the fund grow, i.e. with the funding that you've put in and hopefully at some point they can get it closer to that 50 percent. At that point, it would be anticipated that at least you could get some self sustaining out of it. In other words, you're taking money out but you're putting money in and it's balancing itself off. They haven't been there quite yet, but that's what they're trying to get to.

Selectman Coutu said that the dividend yield has been very small. Mr. Malizia said we're in a poor interest environment right now so they're not making it on the interest. He thought the trustees could have this money so he knows they work their hardest to try to get them the best they can get. To be frank, the climate isn't really great out there.

If Selectman Maddox does his math right, they have 247 less the 227, so they're going to be skimping with this \$11,000 they just put in with \$9,000 left. Is that math correct? If you look at page 2 near the middle, Mr. Malizia said the total estimated appropriation surplus - \$505,000. That's how much they anticipated under spending their accounts. They've had that discussion before. As he moves across to the right hand column, the paving transfer. As you'll recall, they moved money out to the paving account. They also moved money out to put money into the re-evaluation reserve fund. That's the 35. Those two left us a balance of \$230,000. They expect to under expend by \$230,000. With this 68, now it's down to \$161,000. That's how much they'll have that they will not spend. As he goes further down the page if you look where the revenue is. Because they've taken some hits, they've also had some positives. The overlay savings. They're not paying out any overlay which is abatements to property owners. Ambulance revenue as you're well aware were up. We know that we were down in motor vehicles and we know we were down on interest. The net affect of all of that at this point looks like about a \$17k positive. We're going to have \$17k more of revenue bottom line than we budgeted. So when he adds that \$17,000 to the current \$230,000, he's at \$247,000. If he takes \$68,000 out of that, he's still well over \$100,000 some odd dollars.

Selectman Maddox said there's the 200 on the front page you have \$227,000 for this year. Does that include the \$68,000? Mr. Malizia said it does. Selectman Maddox said his numbers were pretty close. He's saying \$247,000...Mr. Malizia said they've already taken a big piece of that in the first half, which has already been reflected in the numbers. The numbers already have the December payment. Selectman Maddox said that he's carried them all the way down to the \$247,000 number minus the \$227,000 on the front page. Mr. Malizia said he couldn't take the \$227,000 on the front page because part of that has already been expensed. It's already in the 505. They've already eaten it basically for lack of a better word. Selectman Coutu said that they should end up with \$178,500 approximately minus \$11,000.

Right now, Chairman Massey said if they did nothing more and kept this \$68,794 payout coming out of the operating budget, they would be looking at an overall return to the general fund of \$247,306. But we just made another change of \$11,000 which was going to...it's the \$161,000 less the \$11,000. Mr. Malizia said that the \$150,000 was the net amount you'd add to the surplus based upon the numbers that they're looking at right now. Chairman Massey said it would be approximately \$150,000. Selectman Maddox said Mr. Malizia was saying that they could fund the \$227,000 out of that money. Is that where we're going? Chairman Massey said he was missing something. Where's the \$227,000? Ms. Carpentier said out of all the payments that they've done all year long, most of them were done in December at the beginning of the year prior to us first doing a surplus analysis. Chairman Massey said it reflected in - the \$230,000 which is the estimated appropriation surplus, that already includes the December payment of \$227,000. So now all we're talking about is if they take the money out of that anticipated surplus for this June payment, we've actually returned to the general fund \$161,000. Because they also just encumbered the \$11,000 for the carpets, it will be \$150,000. Is the consensus of the Board that they take the money out of the unexpended balance as opposed to asking the Trustees to fund it out of the Capital Reserve Fund? Selectmen Nadeau and Maddox said yes.

Ms. Carpentier asked if they wanted line item transfers to write the budgets that go negative because of those payouts. Chairman Massey turned to Mr. Malizia on that. Mr. Malizia said it was up to the Board. In other words, you'll see the Engineering budget at the end of the year would be negative because there's payments coming out of there that he can't cover. It's up to you if you want to somehow transfer the money or want to just see it. Selectman Coutu asked about for auditing purposes. Ms. Carpentier said that the auditors didn't care. It's on in presentation. The Board is managing to the bottom line. Chairman Massey said it wasn't going to make any difference on next year's budget anyway. Ms. Carpentier said no motion was needed because action has already been taken.

Chairman Massey thanked Ms. Carpentier for all that she does.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Chairman Massey declared a recess at 8:27 p.m. and returned at 8:32 p.m.

Selectman Maddox - He would like to update the Board that the Senior Building Committee has met a couple of times and they are trying to mush through all of the nuances of locating a building. They have some preliminary ideas, but now they need to go to the Benson's Park Committee and back to this Board to be able to look at the various options. They're going to try to make it look like a barn, trying to accommodate the needs of the seniors' future space in the basement of that building for community use, yet still fit in with the set up of the Benson's red barn. So they'll bring the Board more information but just wanted to let them know that they had met and hopefully things move forward.

Selectman Nadeau - There was one thing he was trying to bring up when they were doing the encumbrances. One of the things for the last year or so that he's been talking about was the ice machine replacement over at Lyons Hall or the Community Center. He's asked for the last couple of years every time when it comes to this time of the year that they should look at putting an ice machine in at the Community Center. The Town Administrator got a price of \$3,000 for an ice maker. Over the years he didn't realize what they actually used the ice for over at the Community Center. They use it at voting. They used it when the kids were there for drinks for them. They used it for different things. He didn't know the Fire Department actually used the ice at the Community Center, but they filled up the jugs and they had them on the engines. He wanted to add in at that time the \$3,000 for the ice maker. He wanted to see what the rest of the Board thought of putting the ice maker in or if they should include it in one of the budget line items for next year.

Selectman Maddox didn't think it got enough use to justify its cost. When you look at how much that thing eats in electricity probably to keep that ice cold for how much it's used, he just didn't see - go out and buy four bags of ice. He wasn't sure that by the time they spend all the money in electricity to run this thing never mind the \$3,000 is it really cost effective. Again, somebody is going to need to tell them from the Rec. Department. From his mind, he thought \$3,000 isn't bad, he thought it was the X amount of dollars they're spending in electricity to run it. It's not like they're running a hotel or whatever that needs it all the time.

Selectman Coutu wouldn't support this because he's going to maintain his consistency. He had said that he thought that having water delivered to Town Hall was a frill. He still maintains that. He'll be looking at that line item specifically in each budget this year. He thought having an ice machine at the Rec. Center was just another frill the taxpayers can't afford. It's \$3,000 plus whatever the cost of electricity plus whatever the cost of maintenance is, upkeep once the warranty runs out, and he's sure there's a lot of abuse of that machine. He's heard a lot of stories about the old ice machine that was in there. From what Selectman Coutu understood, there were a lot of people who were taking ice out of that machine that should not have been taking ice out. He will not be in favor of supporting it now nor will he be able to support it in a budget request for next year as well.

Selectman Nadeau said the newer ice machines were a lot more efficient than the ones that - the one that's there now was way inefficient, way too much to have it repaired. The new ones that they've got at the Legion and that other people have got make ice faster and they make ice less expensive. As far as the other departments that could be using it, the Rec. was one of them that definitely would use it. The Highway Department could use it to put ice water on their trucks. He thought with the efficiency that's there, they can look at the efficiency of them and see what they were for next year to put in the budget; he had no problem with doing that. We'll see where it goes.

Chairman Massey thought if they're going to go down this road first of all they don't need it right now. There's no reason to encumber the money for this year. He agreed with both Selectman Coutu and Selectman Maddox. Before he'd be willing to spend \$3,000 on this, he wanted to understand what its usage was projected to be and some indication of the cost. Quite honestly buying 4 bags of ice 2 or 3 times a month

was going to be a lot cheaper than running an ice maker 24/7. He thought it would be something to think about at budget time Selectman Nadeau.

Selectman Coutu - Just had a couple of things. First of all he wanted to congratulate Tony Volis who's a Hudson resident. A recent graduate of the University of NH for receiving the Presidential Scholar Award at the University of NH. He thought it was a feat in itself.

He wanted to remind people that school was out for summer vacation. There's a lot of people on bicycles, kids walking, and of late he has seen an awful lot of erratic behavior on the roads both by New Hampshire and Massachusetts residents. Its amazing if he was a police officer, and he knows they don't have enough police officers to put them at every section of lighting that they have in town, but if he were a police officer in the south end of town especially on Lowell Road between Market Basket and Dracut Road, he could have 4 cruisers there and keep them busy 24 hours a day pulling people over, going through red lights, erratic behavior. There are kids out there and he didn't want to see anyone injured or harmed. Please be careful.

The last thing Mr. Chairman, we have a new resident in town. He moved into the south end. He's from the Carolinas and he's a senior. A lot older than you as a matter of fact. He proposed that they seek some funds or find out how they could get Mr. Burns a crew with pooper scoopers when he's walking down Gowing Road. Selectman Coutu told him that he would exhaustively look for such an item. Not possible. Instead of stepping in dog poop, maybe he might want to reconsider and go back to the Carolinas. He knows he's watching that's why he said that.

Selectman Massey - Have 2 items. The first on the Senior Summer program starts tomorrow. As they indicated he believed last week, the seniors will be meeting every Wednesday for the next 9 Wednesdays at the Rec. Center building on Oakwood Avenue. On Thursdays, they will be convening at the VFW hall. The Rec. Center will be responsible for making sure that the 2 facilities are set up appropriately and that supplies in particular which is where they're going to be needed at the VFW that they're taken over there in the morning and brought back after the program was over at 4 p.m.

Lastly you are sitting right now on some consignment chairs. The Town Administrator would like to know whether you are interested in purchasing them. The cost as he understood it for all the chairs and he turned to the Town Administrator. Mr. Malizia said \$833.00. They're \$119 each. Chairman Massey asked the Board for their thoughts. Selectman Maddox didn't think they were going to hold up in the long term, but that was just his personal opinion. Selectman Coutu agreed. Selectman Nadeau wasn't 100 percent sure yet. He didn't think they were going to hold up either. Chairman Massey would say right now that he's very uncomfortable in the chair. He's only been in it less than 2 hours and his legs were already bothering him. He agreed, he didn't think just looking at them they're going to hold up. When he looked at them, he thought they were doing Planning Board reducks because they looked almost like the Planning Board chairs. Those were \$99. In his mind, this was not the time to do it. It was a great idea and he knows that it didn't cost anything to bring them over here. He thought they do need the chairs, but he didn't think those were the right ones. Selectman Maddox said to continue the search. Chairman Massey personally thought that the ones that the State has on their buying list might be the right ones. They cost he thought \$700 a piece. Next time you're at the Police Department, look at the chairs that the dispatcher have. That's the one they're talking about. At the moment they'll say to the vendor thank you for their offer but they declined.

10. NONPUBLIC SESSION

Motion by Selectman Coutu, seconded by Selectman Maddox to enter nonpublic session under 91-A:3 II (a), (b), and (e) carried 4-0 by roll call.

Nonpublic session was entered into at 8:45 p.m. thus ending the televised portion of the meeting. Any votes taken upon exiting nonpublic session will be listed on the Board's next agenda

Motion by Selectman Coutu, seconded by Selectman Maddox, to exit nonpublic session, carried 4-0.

Open session is being entered at 11:37 p.m.

Motion by Selectman Maddox, seconded by Selectman Nadeau, to seal the minutes of the Nonpublic Session, carried 4-0.

Motion by Selectman Maddox, seconded by Selectman Coutu, to hire Scott Klement of Hudson and Andrew Cialek of Litchfield, as seasonal laborers to assist with grounds maintenance in the Highway Department, effective Sunday, June 27, 2010, for a period not to exceed 8 consecutive weeks. Both employees would be paid a rate of \$12.00 per hour with no benefits, carried 4-0

Motion by Selectman Maddox, seconded by Selectman Coutu, to eliminate the position of HCTV Senior Camera Operator, carried 4-0.

Motion by Selectman Coutu, seconded by Selectman Maddox, to authorize the Assistant Town Administrator to replace the intern working in Community Development, carried 4-0.

11. ADJOURNMENT

Motion to adjourn at 11:50 p.m. by Selectman Maddox, seconded by Selectman Nadeau, carried 4-0.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Kenneth J. Massey, Chairman

Richard J. Maddox, Vice-Chairman

Roger E. Coutu, Selectman

Benjamin J. Nadeau, Selectman